

REMARKS

This application contains claims 1-30. Claims 16-22 and 27-30 are allowed. Claims 1, 12, 14, 27, 29 and 30 are hereby amended. No new matter has been added. Reconsideration is respectfully requested. Applicant thanks the Examiner for her careful and considered reading of the claims and specification.

The specification was objected to for failure to indicate the current status of U.S. Patent Application 09/451,541. The specification has been amended to state that this application has now issued as U.S. Patent 6,741,604.

Claims 12, 14, 27, 29 and 30 were objected to for informalities. Applicant has amended these claims as suggested by the Examiner in order to correct these informalities.

Claims 8-11 and 23-26 were rejected under 35 U.S.C. 112, first paragraph, for lack of enablement, while claims 1-15 and 23-26 were rejected under 35 U.S.C. 112, second paragraph, for indefiniteness. Applicant has amended claim 1 in order to overcome the rejection of claims 1-15. The rejection of claims 8-11 and 23-26 is respectfully traversed.

Applicant has amended claim 1 in order to clarify that the "level of attenuation" is applied to the transmitted training signal within the at least one segment in question. The amendment follows the lines suggested by the Examiner, with minor differences. Specifically, although the Examiner stated that it appears that the training signal is attenuated before it is transmitted, there is no substantive difference (from the point of view of the present invention) between attenuating the signal before it is transmitted or while it is being transmitted. Thus, Applicant believes that

claim 1 as amended meets the requirements of 35 U.S.C. 112, as do claims 2-14, which depend from claim 1.

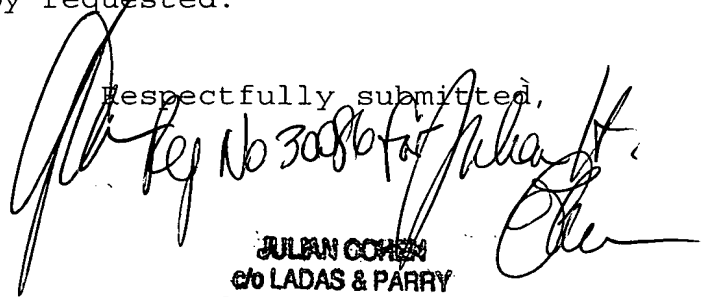
Applicant respectfully traverses the rejection of claims 8-11 and 23-26. A person of ordinary skill in the art of relevance to the present patent application would have understood the meaning of "reliable detection" in the context in which the term is used in these claims, and would have been easily capable of determining the appropriate level of attenuation required to enable such reliable detection. A declaration under 37 C.F.R. 132 is submitted herewith providing evidence in support of this conclusion. As noted in MPEP 2164.08:

"...Not everything necessary to practice the invention need be disclosed. In fact, what is well-known is best omitted. *In re Buchner*, 929 F.2d 660, 661, 18 USPQ2d 1331, 1332 (Fed. Cir.1991). All that is necessary is that one skilled in the art be able to practice the claimed invention, given the level of knowledge and skill in the art."

It is therefore believed that the rejection of claims 8-11 and 23-26 should be withdrawn.

Applicant believes the amendments and remarks presented hereinabove to be fully responsive to all of the objections and grounds of rejection raised by the Examiner. In view of these amendments and remarks, Applicant respectfully submits that all of the claims in the present application are in order for allowance. Notice to this effect is hereby requested.

Respectfully submitted,



JULIAN COHEN
by LADAS & PARRY
26 WEST 61st STREET
NEW YORK, N.Y. 10023
Reg. No. 20302 (212) 708-1888